APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/771,515	01/27/2001	David H.J. Glassco	61028.P002	6674

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EXAMINER
COLBERT, ELLA

ART UNIT	PAPER NUMBER
3624	

DATE MAILED: 06/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 March 2003* .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *27 January 2002* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)   4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   5) ☐ Notice of Informal Patent Application (PTO-152)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .   6) ☐ Other: .

DETAILED ACTION

1.   Claims 1-20 are pending. Non-elected claims 21-46 have cancelled with traverse

in this communication filed 03/11/03 entered as Election paper no. 6 in response to the

Restriction requirement of 02/10/03. All elected claims, i.e., 1-20 have been rejected in

this action.

Restriction in this application is considered proper since the non-elected claims

would place an additional search burden on the Examiner because claims 21-46 are

classified in 345, subclass 751 while the elected claims 1-20 are classed in 707,

subclass 103r thus requiring separate areas of search.

Abstract

2.   The abstract of the disclosure is objected to because line 4 recites "said" after

"managed by". It is in appropriate to use "said" in the abstract. Correction is required.

See MPEP § 608.01(b).

Specification

3.   The Specification is objected to because of the following: In drawing Fig. 1,

"Application 100" is labeled "Application Service", Fig. 2, "Administrator 202 is labeled

"Service Operator Administrators" and element 114 "functional Offerings" is labeled

"offerings" in drawing Fig. 1, Figs. 3c-3d a description of element 330 is missing, Page

16, line 26, Fig. 4 reads "Further, it includes various check boxes 404 ..." and on page

17, line 21, element "404" is referenced as "field 404", Fig. 4, element "408" is not

mentioned or described, page 17, line 10, "Fields 410" is labeled "410 a and 410b in

Fig. 4; page 18, line 1 "button 414" in drawing Fig. 4 is labeled "submit"; page 24, line

10, element "826" is referenced as "field" and on page 25, line 9, element "826 is

referenced as a "browse" button 826; page 25, line 16, element "858b" is referenced as

"del" (delete) button" and in Fig. 8c element "858b" is labeled "Rem"; page 26, line 15,

element "876b" has a similar problem; Fig. 9d, elements 964, 978, and 980 are not

mentioned in the specification; page 31, line 26 "Authorization database" is referenced

as element "1008" and in drawing Fig. 10 this element is referenced as "1006" and in

the drawing Fig. 10 element "1008" is labeled "Session"; page 32, lines 3-10 have a

similar problem; and page 11, lines 7-9 read " and administrator 204 of service provider

may perform all administration and management tasks an administrator 206 of a

licensee administrator of its creation may perform" (**this is unclear**) and page 11, lines

24-26 read "Thereafter, contributors 213 selectively tags data ... publishing components

214 (labeled 214 in drawing Fig. 2) ..." (**this is unclear**).

A substitute Specification is required with no new matter added. Correction is

required. See MPEP § 608.01(b).

Drawings

4.   The drawings are objected to because in Fig. 3a "Data Organization 300" is

missing; Fig. 3C "357 methods" is missing; Fig. 4 element "400" is missing; Fig. 5

element "509" and "block 520" are missing; Fig. 7a element "700 data organization" is

missing; and Fig 12 elements "1200" and "1212" are missing. A proposed drawing

correction or corrected drawings are required in reply to the Office action to avoid

abandonment of the application. The objection to the drawings will not be held in

abeyance.

Claim Objections

5.   Claims1, 6, 10, and 18 are objected to because of the following informalities: In

claim 1, page 37, line 13 recites "..., with which said said". This line would be better

read "..., with which said". Claim 6, page 38, line 2 recites "... when initialing a session

environment". Claims 10 and 18 have a similar problem. Do Applicants' mean "...

when initializing a session"? Appropriate correction is required.

Claim Rejections - 35 USC § 112

6.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

7.   Claims 14-20 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention. Claims 14-20 claim "an apparatus" which leaves the

claims vague and indefinite. Do Applicants' mean a computer or a storage medium?

Claims 14, 16, and 20 recite "storage medium having stored therein a plurality of

programming instructions designed to facilitate designation of a user ..., ..., ...,". Do

Applicants' mean "A storage medium having stored thereon a plurality of programming

instructions designed to facilitate designation of a user ..., ..., ...,"? Please clarify in the

claim language.

Claim Rejections - 35 USC § 102

8.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9.   Claims 1-20 are rejected under 35 U.S.C. 102(b) as being unpatentable over (US 6,088,702) Plantz et al, hereafter Plantz.

With respect to claims 1, 8, 14, and 20, Plantz teaches, A data sharing method comprising: designating a first user as an eligible shared data contributor (col. 2, lines 17-36); designating an authorized service component of said eligible shared data contributor as a shared data publishing component (col. 3, lines 11-28); defining a data publication (col. 5, lines 19-30); tagging data managed by said publishing component for inclusion in said data publication (col. 9, lines 35-67); designating a second user as an eligible shared data subscriber (col. 10, lines 1-29); associating said second user as a subscriber of said data publication (col. 10, lines 30-62); contributing to said data managed by said publishing component by said shared data contributor (col. 10, lines 63-67 and col. 11, lines 1-42); and facilitating access to said data managed by said publishing component based on said second user's subscription to said data publication, with which said managed by said publishing component is tagged for inclusion (col. 7, lines 2-10 and lines 28-63).

With respect to claims 14, 16, and 20 Plantz teaches, a storage medium having stored thereon a plurality of programming instructions (col. 11, line 48 (CD ROM). One or more processors coupled to said storage medium to execute said programming instructions are inherent to any computer system. A processor is defined as a microprocessor; coprocessor; CPU. A microprocessor is defined as an integrated

circuit containing the entire CPU of a computer, all on one silicon chip, so that the only memory and input-output devices need be added.

With respect to claim 2, Plantz teaches, wherein said defining comprises assigning a publication identifier for said data publication, and said tagging comprises assigning said assigned publication identifier to a component property of said publishing component (col. 8, lines 1-10 and 20-37).

With respect to claim 3, Plantz teaches, wherein said method further comprises designating said data publication as a data publication available for subscription by eligible shared data subscribers of an organization, of which said second user is a member (col. 8, lines 52-67 and col. 9, lines 1-21).

With respect to claim 4, Plantz teaches, wherein said first user is also a member of said organization (col. 9, lines 21-34).

With respect to claim 5, Plantz teaches, wherein said first user is not a member of said organization (col. 10, lines 15-23).

With respect to claim 6, Plantz teaches, wherein said method further comprises determining data said second user is authorized to access when initialing a session environment for said user or when instantiating a requested component, and said determining includes resolving said second user's subscription of said data publication to said publishing component (col. 10, lines 1-29).

With respect to claim 7 this dependent claim is rejected for the similar rationale as given above for claim 2.

With respect to claim 9 this dependent claim is rejected for the similar rationale as given above for claim 7.

With respect to claim 11,   The method of claim 10, wherein said user is a member of an organization, and said method further comprises designating said data publication as available for subscription by eligible shared data subscriber users of said organization.

With respect claim 12 this dependent claim is rejected for the similar rationale as given above for claims 3 and 4.

With respect to claim 13 this dependent claim is rejected for the similar rationale as given above for claim 6.

With respect to claim 15 this dependent claim is rejected for the similar rationale as given above for claim 9.

With respect to claim 17 this dependent claim is rejected for the similar rationale as given above for claims 3, 4, and 11.

With respect to claim 18 this dependent claim is rejected for the similar rationale as given above for claim 6.

With respect to claim 19 this dependent claim is rejected for the similar rationale as given above for claims 7 and 13.

Conclusion

10.   The prior art made of record and not relied upon is considered pertinent to Applicants' disclosure.

Hayhoe, George F. disclosed groupware needs of publication departments.

Howard, John H. disclosed a distributed file system using reconciliation to share files between computers.

Bass, Julian M.; Browne, Adrian R.; Hajji, Mohamed S.; Marriott, Derek G.; Croll, Peter R. and Fleming, Peter J. disclosed a real-time control system and the development of distributed control software.

Glassman et al (US 6,453,305) disclosed a system for enforcing licenses on an open network.

Eliovson (US 6,128,618) disclosed enforcing rules of integrity regarding component Plans to facilitate the creation of other component Plans in a creative, rapid, and error free fashion.

Salas (US 6,314,408) disclosed controlling access to a product, generating a license string for the product, and transmitting the license string to a user of the product.

Inquiries

11.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ella Colbert whose telephone number is 703-308-7064. The examiner can normally be reached on Monday-Thursday from 6:30 am -5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on 703-308-1038. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for Official communications and 703-746-5622 for Unofficial communications.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is 703-308-

1113.

E. Colbert

June 1, 2003